

AMENDED IN ASSEMBLY MAY 4, 2005

AMENDED IN ASSEMBLY APRIL 13, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1300

Introduced by Assembly Member Arambula

February 22, 2005

An act to amend Section 17074.25 of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1300, as amended, Arambula. School facilities: modernization apportionments.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

Existing law authorizes modernization projects for permanent buildings 25 years or older, or portable classrooms 20 years or older, if the structures have not been previously modernized with state funds. Existing law authorizes the use of modernization funds for prescribed purposes, including, but not limited to, construction, utility connection, and other fees.

This bill would permit the State Allocation Board to allow a school district to use a specified portion of a modernization apportionment for an alternate schoolsite, and would require the governing board of the school district to make certain findings prior to applying to use those funds.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17074.25 of the Education Code is
2 amended to read:
3 17074.25. (a) A modernization apportionment may be used
4 for an improvement to extend the useful life of, or to enhance the
5 physical environment of, the school. The improvement may only
6 include the cost of design, engineering, testing, inspection, plan
7 checking, construction management, demolition, construction,
8 the replacement of portable classrooms, necessary utility costs,
9 utility connection and other fees, the purchase and installation of
10 air-conditioning equipment and insulation materials and related
11 costs, furniture and equipment, including telecommunication
12 equipment to increase school security, fire safety improvements,
13 playground safety improvements, the identification, assessment,
14 or abatement of hazardous asbestos, seismic safety
15 improvements, and the upgrading of electrical systems or the
16 wiring or cabling of classrooms in order to accommodate
17 educational technology. A modernization grant may not be used
18 for costs associated with acquisition and development of real
19 estate or for routine maintenance and repair.
20 (b) (1) Upon the application of a school district, the board
21 may permit a school district to use a portion of a modernization
22 apportionment in an amount no greater than the funding provided
23 for ~~200~~ 100 eligible pupils pursuant to subdivision (a) of Section
24 17074.10 for an alternate schoolsite, and shall expend those
25 funds in accordance with subdivision (a). *The total amount of*
26 *funding transferred to an alternate schoolsite from*
27 *modernization apportionments made for various schoolsites*
28 *within a school district shall not exceed the funding provided for*
29 *200 eligible pupils pursuant to subdivision (a) of Section*
30 *17074.10.*
31 (2) *Only schoolsites eligible for funding pursuant to Section*
32 *17073.15 shall be eligible to receive funding transferred*
33 *pursuant to paragraph (1), and the transferred funds shall be*
34 *used in accordance with subdivision (a).*

1 (3) *Funding transferred pursuant to paragraph (1) shall be*
2 *used for modernization projects that would not otherwise occur*
3 *due to lack of funding.*

4 ~~(2)~~

5 (4) Prior to its application to the board in accordance with
6 paragraph (1), the governing board of the school district shall, at
7 a regularly scheduled public meeting, adopt a finding that the
8 portion of a modernization apportionment used for an alternate
9 schoolsite is not needed for the schoolsite *will be used for a*
10 *project that is a higher priority for the school district and for*
11 *which the apportionment was received.*

12 (5) *The board shall adopt regulations to implement this*
13 *subdivision.*